



PATENT

Attorney Docket No. AMBER-06803

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kenneth J. Rothschild *et al.*

Serial No.: 10/034,736

Group No.: 1636

Filed: 12/27/01

Examiner: Ketter J.

Entitled: **Detection Of Markers In Nascent Proteins**

**TERMINAL DISCLAIMER
UNDER 37 C.F.R. §1.321(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: March 30, 2004

By: 

Christopher J. Collins

Sir:

I, Peter G. Carroll, represent that I am an attorney of record for this invention and have power of attorney from the Assignee.

The Assignee, Trustees of Boston University, 147 Bay Street, Boston, Massachusetts 02215, is the sole owner of one-hundred percent (100%) interest in the instant application. The assignments which were filed in the prior Application Serial No. 09/583,243 and issued as United States Patent No. **5,643,722** (Our File No.: AMBER-03129), to which the instant application claims priority as a Continuation Application, were recorded in the Patent and Trademark Office at Reel 007071, Frame 0958.

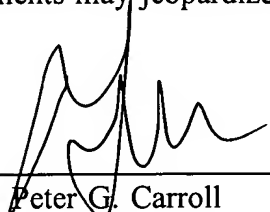
Petitioners' hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. **5,643,722**, and hereby agree that any patent so granted on the above-identified instant application shall be enforceable only for and during such period that the legal title to said patent be the same as the legal title to the above referenced allowed patent

application, this agreement to run with any patent granted on the above-identified instant application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioners' do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, in the event that it is issued, the patent corresponding to U. S. Patent No. **5,643,722** expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: March 30, 2004



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